

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7658

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ISAAC BENTON ARMSTEAD, IV, a/k/a Ike, a/k/a Issac Benton
Armstead,

Defendant - Appellant.

Appeal from the United States District Court for the District of
South Carolina, at Orangeburg. Margaret B. Seymour, Senior
District Judge. (5:08-cr-00258-MBS-1)

Submitted: December 29, 2015

Decided: February 9, 2016

Before WILKINSON, SHEDD, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Isaac Benton Armstead, IV, Appellant Pro Se. Stanley D.
Ragsdale, John David Rowell, Assistant United States Attorneys,
Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Isaac Benton Armstead, IV, seeks to appeal a September 28, 2015 order of the district court, but that was a text order granting Armstead's own motion for an extension of time. In his informal brief, Armstead also challenges the "district court['s] denial" of his motion for a sentence reduction, the Government's failure to address the merits of his second § 2255 motion, and the sentencing court's application of the career offender sentencing enhancement. However, the district court has not entered an order deciding any of these issues.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). Armstead seeks to appeal neither a final order nor an appealable interlocutory or collateral order. Armstead's motions to reduce his sentence and for reconsideration remain pending in district court, as does the Government's motion for summary judgment on Armstead's 28 U.S.C. § 2255 (2012) motion to vacate. Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are

adequately presented in the materials before this court, and argument would not aid the decisional process.

DISMISSED